

1 10A NCAC 13J .1110 is amended under temporary procedures as follows:

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3 **10A NCAC 13J .1110 SUPERVISION AND COMPETENCY OF IN-HOME AIDES OR OTHER IN-**
4 **HOME CARE PROVIDERS**
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6 (a) In-home aides or other allied health personnel subject to occupational licensing laws shall meet competency
7 testing requirements consistent with the rules established by the appropriate occupational licensing board. Each
8 agency is responsible for documenting that its in-home aides and other in-home care providers are competent to
9 perform client care tasks or activities to which they are assigned. Such individuals shall perform delegated activities
10 under the supervision of persons authorized by state law to provide such supervision.

11 (b) Those in-home aides and other in-home care providers who are not subject to occupational licensing laws, shall
12 only be assigned client care activities for which they have demonstrated competency, the documentation of which is
13 maintained by the agency. Meeting competency includes a correct demonstration of tasks to an appropriate
14 professional. Each agency is responsible for documenting that its in-home aides and other in-home care providers
15 demonstrate competence for all assigned client care tasks or activities. Such individuals shall be supervised by the
16 appropriate professional who may further delegate specific supervisory activities to a competent, appropriately
17 trained paraprofessional as designated by agency policy, provided that the following criteria are met:

18 (1) there is continuous availability of the appropriate professional for supervision and consultation;
19 and

20 (2) accountability for supervisory activities delegated is maintained by the appropriate professional.

21 (c) Respiratory practitioners who are not subject to occupational licensing laws shall only be assigned duties for
22 which they have demonstrated competency. Agencies that are providing clinical respiratory care services must
23 provide supervision under the direction of a registered respiratory therapist, certified respiratory therapy assistant, or
24 a registered nurse with sufficient education and clinical experience in the scope of the services offered.

25 (d) The appropriate supervisor shall supervise an in-home care provider as specified in Paragraph (a) or (b) of this
26 Rule by making a supervisory visit to each client's place of residence at least every three months, with or without the
27 in-home care provider's presence, and at least annually, while the in-home care provider is providing care to each
28 client.

29 (e) A quarterly supervisory visit to the home of each client, by the appropriate professional supervisor for each type
30 of in-home care provider as specified in Paragraphs (a) and (b) of this Rule, shall meet the minimum requirement for
31 supervision of any and all of the specified type of in-home care providers who have provided service to the client
32 within the quarter. The supervisory visit shall include review of the client's general condition, progress and response
33 to the services provided by the specified type of in-home care provider.

34 (f) Documentation of supervisory visits shall be maintained in the agency's records and shall contain, at a minimum:

35 (1) date of visit;

36 (2) findings of visit; and

37 (3) signature of person performing the visit.

1 In order to assure effective supervision of services provided by in-home aides, geographic service areas for these
2 services shall be limited to the area which includes the county where the agency is located, counties that are
3 contiguous with the county where the agency is located or within 90 minutes driving time from the site where the
4 agency is located, whichever is greater. Agencies providing services to any client prior to January 1, 2006 who
5 resides in a geographic service area which is beyond the counties that are contiguous with the county where the
6 agency is located or greater than 90 minutes driving time from the site where the agency is located, may continue to
7 provide services to the client until the client is discharged from the agency.

8 (g) When follow-up corrective action is needed for any or all of a specified type of in-home care provider based on
9 findings of the supervisory visit, documentation of such corrective action by the appropriate supervisor shall be
10 maintained in the employee(s) or other agency record.

11 (h) An appropriate professional conducting a supervisory visit for any and all of a specified type of in-home care
12 provider may simultaneously conduct the quarterly case review as required in Rule .1202 of this Subchapter.

13 (i) The appropriate professional shall be continuously available for supervision, on-site where services are provided
14 when necessary, during the hours that in-home care services are provided.

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16 *History Note: Authority G.S. 131E-140;*

17 *Eff. July 1, 1992;*

18 *Amended Eff. July 1, 1993;*

19 *RRC Objection due to lack of statutory authority and ambiguity Eff. November 16, 1995;*

20 *Amended Eff. February 1, 1996.*

21 *Temporary Amendment Eff. February 1, 2006.*